UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

SHAUN DANIEL WILGA,   )
)
            Plaintiff,   )
)
    v.   )   No. 4:17-CV-1457 CDP
)
LARRY CRAWFORD, et al.,   )
)
            Defendants.   )

MEMORANDUM AND ORDER

This matter is before the Court upon review of the file. On May 5, 2017, plaintiff filed this action pursuant to 42 U.S.C. § 1983, and also sought leave to proceed in forma pauperis. Named as defendants were Larry Crawford, Unknown Guard, Unknown Caseworker, and Unknown Prisoner. In a Memorandum and Order dated July 18, 2017, I granted plaintiff leave to proceed in forma pauperis, and reviewed his complaint pursuant to 28 U.S.C. § 915(e)(2). I noted that the complaint was legally frivolous as to Unknown Prisoner and failed to state a claim upon which relief could be granted as to Crawford and Unknown Caseworker, and dismissed those defendants. I also noted that plaintiff's allegations against Unknown Guard were not specific enough to state a claim against him. In consideration of plaintiff's pro se status, I allowed him the opportunity to submit an amended complaint to expand upon his allegations.

Plaintiff's response to the Court was due on August 8, 2017. To date, however, he has neither filed an amended complaint nor sought additional time to do so. Plaintiff was given meaningful notice of what was expected, and given ample time to comply. Therefore, this action will be dismissed, without prejudice, due to plaintiff's failure to prosecute his case and his failure to comply with my July 18, 2017 Order. Fed. R. Civ. P. 41(b); *see also Brown v. Frey*, 806 F.2d
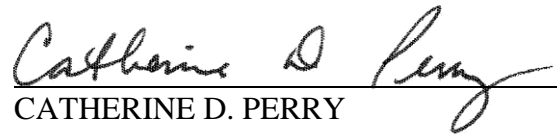
801, 803-04 (8th Cir. 1986) (a district court has the power to dismiss an action for the plaintiff's failure to comply with any court order).

Accordingly,

IT IS HEREBY ORDERED that this case is **DISMISSED** without prejudice. A separate order of dismissal will be entered herewith.

IT IS HEREBY CERTIFIED than an appeal from this dismissal would not be taken in good faith.

Dated this 18th day of October, 2017.

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CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE